

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID LEE WOMACK,	:	CIVIL ACTION NO. 1:06-CV-2348
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
JOSEPH V. SMITH, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 10th day of August, 2009, upon consideration of defendants' motion (Doc. 72) for leave to depose plaintiff pursuant to Federal Rule of Civil Procedure 30(a)(2), in which plaintiff concurs, and it appearing that plaintiff is currently incarcerated, and that "[t]he deposition of a person confined in prison may be taken only by leave of court on such terms as the court prescribes," Miller v. Bluff, 131 F.R.D. 698, 700 (E.D. Pa. 1990) (citing FED. R. CIV. P. 30(a)), it is hereby ORDERED that defendants' motion (Doc. 72) is GRANTED. Defendants may depose plaintiff at a time that is agreed upon by all parties.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge